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ABSTRACT

Provisions of the Education Amendments of 1980 (P.L. 96-374) are described. Contents of the legislation are as follows: Title I--continuing education program and planning; Title II--college and research library assistance and library training and research; Title III--institutional aid; Title IV--student assistance; Title V--Teacher Corps and teacher training; Title VI--international education programs; Title VII--construction, reconstruction, and renovation of academic facilities; Title VIII--cooperative education; Title IX--graduate programs; Title X--Fund for the Improvement of Postsecondary Education; Title XI--urban grant university program; Title XII--general provisions; and Title XIII--miscellaneous provisions. The following grants to students are covered: Pell Grants; Supplemental Educational Opportunity Grants; State Student Incentive Grants; TRIO--special programs for students from disadvantaged backgrounds; special programs for students whose families are engaged in migrant and seasonal farmwork; and veterans' cost-of-instruction payments. Additionally, Guaranteed Student Loans, the College Work-Study program and National Direct Student Loans are covered. Eligibility criteria and administrative allowances for aid recipients are addressed. Information on 1981-85 authorization levels for the legislation by section is presented. (SW)

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Title I - Continuing Education Program and Planning

Title I is amended to consolidate federal support for postsecondary statewide planning, educational information, and continuing education into one Title, and concentrates attention on the educational needs of adults who have been inadequately served. Authorization levels are set at $23 million for FY 1981 (including $3 million for the Commission on National Development in Postsecondary Education), $30 million for FY 1982, $40 million for FY 1983, $50 million for FY 1984, and $60 million for FY 1985.

Part A of Title I establishes a 25-member Commission on National Development in Postsecondary Education, which will study and report to the President and the Congress by December 31, 1983, on:

- --the extent to which state, local, and institutional planning is designed to identify the nation's future postsecondary needs;
- --the effectiveness of federal financial assistance to students and institutions of higher education in promoting national development of postsecondary education in the most efficient manner;
- --the physical and financial capacity of institutions of higher education to carry out their mission, including the conduct of basic and applied research in the humanities and scientific and technical fields, and the relationship between institutions of higher education, public agencies, and the private sector in developing the capacity of higher education to promote such research;
- --the human and technical resources currently and prospectively available to institutions of higher education to enable them to address and respond to national and worldwide social and economic forces;
- --the effect of demographic changes on institutions of higher education and their constituent disciplines and professions and the ability of such institutions to meet national needs; and
- --the extent to which federal student assistance may be used to promote the recruiting of individuals to serve in the Armed Forces and to retain members of the Armed Forces.

HE 013 369

Part B of Title I consolidates comprehensive statewide planning, information services, continuing education, and lifelong learning into a new formula-based Education Outreach Program. Each state will receive a grant from available appropriations based 60% on relative state adult population and 40% on an equal basis, except that no state can receive less than $187,500 in any fiscal year. At least 15%, but no more than 20% of an individual state's allotment may be used for conducting comprehensive statewide planning for improving access and retention within the state to varied postsecondary educational programs. Of the funds used by a state for statewide planning, at least half must be used for planning continuing education programs for adults. However, upon application, the Secretary may grant a waiver to a state which has demonstrated that the state has adequately provided for

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meeting the needs of adult learners in its statewide planning activities. In addition, $50,000, or 12% of a state's allotment, whichever is greater, must be used to conduct programs to develop and coordinate new and existing educational and occupational information and counseling programs.

Title II - College and Research Library Assistance and Library Training and Research

Title II is amended to revise and extend the Part A program of assistance for college libraries; the Part B library training, research, and development grants program; and the strengthening research library resources program under Part C (at significantly reduced authorization levels). In addition, funds are authorized in Part D to assess the feasibility of developing a national periodical system. Authorization levels for Parts A and B are identical: $10 million for FY 1981, $30 million each for fiscal years 1982, 1983, and 1984, and $35 million for FY 1985. Part C is authorized at $10 million for FY 1981 and $15 million for each of the succeeding fiscal years through FY 1985. Part D is authorized at $750,000 each for fiscal years 1981 and 1982, and such sums for each of the succeeding fiscal years, but no funds can be appropriated for Part D unless Parts A, B, and C are funded at their FY 1979 levels.

Part A has been revised to provide general support for college libraries solely through resource development grants which have been increased from $5,000 to a maximum of $10,000 per institution. These grants may be used to acquire resource materials and to establish and maintain networks for sharing library resources with other institutions of higher education.

Under Part B, grants are available for library career training, research, and demonstrations relating to the improvement of libraries and for special purpose grants which are transferred from Part A.

Grants under Part C, Strengthening Research Library Resources, will go to institutions with major research libraries. Institutions receiving such grants will not be eligible to apply for the Part A basic grant or the Part B special purpose grant for any year in which they receive a grant under this part.

A nonprofit corporation is established in Part D to study the feasibility of establishing a National Periodical System which would contribute to the preservation of periodical materials and provide access to a comprehensive collection of periodical literature for public and private libraries.

Title III - Institutional Aid

Title III is amended to substantially revise the existing program, and provide two new programs of support. However, the new legislation will not go into effect until FY 1982. For FY 1981, the existing Strengthening Developing Institutions program will remain in effect with an authorization level of $120 million. Future authorizations, which will be divided equally between the Part A program and the Part B program, are set at $175 million for FY 1982, $185 million for FY 1983, $200 million for FY 1984, and $220 million for

FY 1985. Junior and community colleges are guaranteed not less than 24% of sums appropriated for Part A and not less than 30% of sums appropriated for Part B. Under Part B, historically Black colleges are guaranteed not less than 50% of the amount they received from Title III in FY 1979. For Part C, the new program of Challenge Grants, authorization levels are set at $25 million in FY 1982, $35 million for FY 1983, $45 million for FY 1984, and $50 million for FY 1985.

Part A, Strengthening Institutions, provides renewable one-to-three year grants, or non-renewable four-to-seven-year grants, to increase self-sufficiency by improving academic quality, institutional management, and fiscal stability. Eligibility is based on the percentage of Pell Grant recipients and the average educational and general expenditures per FTE undergraduate, with the Pell Grant factor double-weighted. This part is effectively a continuation of current law.

Part B, Aid to Institutions with Special Needs, provides one-to-five-year grants to strengthen planning, management, and fiscal capabilities. The federal share is 100% for the first two years of a grant, and declines to 90% the third year, 80% the fourth year, and 70% the fifth year. Eligibility is based on the percentage of students receiving any need-based federal aid and average E&G expenditures per FTE undergraduate.

Challenge Grants are authorized in Part C to institutions which establish eligibility under Parts A or B and which can provide assurance of matching funds. These grants are for not more than 5 years and may be used for the same purposes as provided in Parts A and B.

Finally, Part D, General Provisions, establishes application requirements and directions for applying for Title III grants. The Secretary is given broad authority to waive several of the eligibility criteria in certain cases, and is required to report annually to Congress on those institutions granted such waivers. In addition, the Secretary is given authority to waive any matching requirements imposed under Titles II, IV, VII, or VIII for institutions eligible under Parts A or B of the new Title III.

Title IV - Student Assistance

Part A: Grants to Students

Pell Grants

Such sums as may be necessary are authorized for Basic Educational Opportunity Grants which are extended through FY 1985 and which are renamed Pell Grants. The maximum authorized Pell Grant is increased to $1,900 for academic year (AY) 1981-82, $2,000 for AY 1982-83, $2,300 for AY 1983-84, $2,500 for AY 1984-85, and $2,600 for AY 1985-86. Student eligibility is extended through completion of the first undergraduate baccalaureate degree.

The statement of purposes is amended to include the NAICU proposal that Pell Grants, in combination with reasonable parental or independent student contributions, plus SEOG and SSIG awards, will meet 75 per centum of a student's cost of attendance.

The Pell Grant maximum award, percentage-of-cost limitation, and SEOG floor funding levels are linked together so that all three factors increase in parallel stages whenever the

appropriations committees decide to increase the Pell Grant maximum award to certain levels, as follows:

--For any year in which the Pell Grant maximum is at least $1,800 but is less than $1,900, there is no change in the percentage-of-cost limitation and no change in the mandatory SEOG floor funding of $370 million. (In addition, $76.75 million must be provided to support SSIG awards, $550 million must be provided for College Work-Study, and $286 million must be made available to support NDSL's. The mandatory floor funding levels for SSIG, CWS, and NDSL do not increase over the five-year reauthorization period.);

--For any year in which the Pell Grant maximum award is at least $1,900 but is less than $2,100, the percentage-of-cost limitation remains at 50%, and the mandatory floor funding of SEOG increases to $400 million;

--For any year in which the Pell Grant maximum award is at least $2,100 but is less than $2,300, the percentage-of-cost limitation increases to 55%, and the mandatory floor funding of SEOG increases to $440 million;

--For any year in which the Pell Grant maximum award is at least $2,300 but is less than $2,500, the percentage-of-cost limitation increases to 60% and the mandatory floor funding of SEOG increases to $460 million;

--For any year in which the Pell Grant maximum award is at least $2,500 but is less than $2,600, the percentage-of-cost limitation increases to 65%, and the mandatory floor funding of SEOG increases to $480 million;

--For any year in which the Pell Grant maximum award is at least $2,600, the percentage-of-cost limitation increases to 70%, and the mandatory floor funding of SEOG remains at $480 million.

NOTE: The above description represents the oral and written agreement reached during Conference Committee deliberations. However, during the drafting of the agreement into the language of the law, an error was made in the staging of the increases. Commitments have been obtained to seek a correction of the technical errors when the Congress reconvenes after the November elections.

Supplemental Educational Opportunity Grants

Supplemental Educational Opportunity Grants are extended through FY 1985, with annual authorization levels set at $350 million for initial-year awards and such sums as may be necessary for continuing-year awards.

The maximum SEOG award is raised from $1,500 to $2,000 a year. All students who demonstrate need are now eligible for SEOG assistance, a change from the previous restriction that students must lack financial means before qualifying for SEOG benefits. Both the cumulative $4,000 limit and the institutional matching requirements are abolished. As with Pell Grants, students may receive awards for the period of time necessary to complete the first undergraduate baccalaureate degree. A legislative formula is established which determines institutional need by deducting from 75% of total student expenses the sum of expected family or independent student contributions, Pell Grants, SSIG awards, and 25% of institutional student aid. All institutions are guaranteed at least 100% of their FY 1979 allocation until the SEOG appropriation reaches $400 million. When the SEOG appropriation reaches $400 million, institutions will receive an allocation equal to at least 80% of their FY 1979 allocation; 60% at $420 million; 40% at $440 million; and 20% at $460 million. When the SEOG appropriation reaches $480 million, all SEOG funds will

be allocated in strict compliance with the new legislative formula. Finally, the new legislation authorizes institutions to use up to 10% of their SEOG funds for less-than-half-time students.

State Student Incentive Grants

State Student Incentive Grants are continued through FY 1985, with authorization levels set at $100 million each for fiscal years 1981 and 1982, $150 million for FY 1983, $200 million for FY 1984, and $250 million for FY 1985.

The SSIG maximum award is increased from $1,500 to $2,000 per year. Eligibility is extended to graduate and less-than-half-time students. Initial-and continuing-year awards are combined, and states are guaranteed their FY 1979 levels of funding. In order to be eligible to continue in the program, the new legislation requires states to maintain their state grant effort at the average aggregate level of the previous three fiscal years, or at the level of their average annual expenditure per full-time equivalent student for the previous three fiscal years. Finally, the requirement that eligible state programs serve students in all non-profit institutions is modified to exempt states with statutory restrictions enacted prior to October 1, 1978.

TRIO - Special Programs for Students from Disadvantaged Backgrounds

The TRIO programs -- Talent Search, Upward Bound, Special Services for Disadvantaged Students, and Educational Opportunity Centers -- are continued through FY 1985 at authorization levels of $400 million for FY 1981 and such sums thereafter.

The eligibility criteria are revised to require that students eligible for these programs must be low-income individuals and "first generation college students" (which means neither parent completed a baccalaureate degree). An institution's prior experience with TRIO programs will also be reviewed before new awards are made.

Special Programs for Students Whose Families Are Engaged in Migrant and Seasonal Farmwork

The Higher Education Program and the College Assistance Migrant Program, transferred from the Labor Department to the Department of Education last year, are incorporated into this section of Title IV. Authorization levels are set at $9.6 million for FY 1981, $12 million for FY 1982, $14 million for FY 1983, $16 million for FY 1984 and $18 million for FY 1985.

Veterans' Cost-of-Instruction Payments

The Veterans' Cost-of-Instruction program is continued through FY 1985. The maximum VCI payment to any institution or branch is reduced to $75,000 per fiscal year, and the provision in current law is deleted which provides for the continuing eligibility of institutions for VCI funds despite declining enrollments of veterans. The Secretary is authorized, however, to waive the minimum veteran enrollment requirements for previously eligible institutions under certain conditions.

Institutions are eligible to receive a $150 bonus payment for each enrolled veteran who is disabled or incarcerated. Eligibility is granted to institutions to enter into consortium agreements. All recipient institutions are required to carry out active outreach, recruiting, and counseling activities.

Part B: Guaranteed Student Loans

The new legislation extends the Guaranteed Student Loan program through FY 1985, making substantial improvements, and creates a new Parent Loan program. The interest rate for both programs is set at 9% for new borrowers only, except that, in any year in which the average annual Treasury bill rate drops to or below 9%, the interest rate for both programs automatically drops to 8%.

Under the GSL program, undergraduate dependent students may borrow up to $2,500 per year, and independent students may borrow up to $3,000 per year, with aggregate maximums increased to $12,500 and $15,000 respectively. The aggregate limit for graduate students is increased to $25,000, but the Secretary may waive that limit for exceptionally expensive graduate or professional programs. The current 9-to-12-month grace period is reduced to 6 months.

Improved collection practices are established, such as requiring the Secretary to give private credit bureaus information on loan defaulters, and requiring lenders to provide information on the conditions of the loan agreement.

The Student Loan Marketing Association (SLMA) is recognized as a lender of last resort, depending upon the availability of loans in an area or state and the request of the Secretary. SLMA, upon the request of the borrower, must establish a loan consolidation program for those borrowers who have two or more notes outstanding in which the indebtedness is in excess of $7,500 to a single lender. The interest rate on the new consolidated loan will be set at the lowest rate available at the time repayment begins. The terms for such agreements would be worked out with the individual borrower and could extend the time of repayment up to 20 years with graduated or income sensitive pay-back provisions.

State agencies are granted expanded authority to serve as lenders of last resort and to monitor the enrollment and repayment status of student borrowers.

A new Parent Loan program is established, providing loan maxima of $3,000 annually and $15,000 cumulatively, except that no parent may borrow more than the total cost of a student's education per year. All parent loan borrowers must begin repayment within 60 days after taking out the loan.

Part C: College Work-Study

The College Work-Study program is extended through FY 1985, with authorization levels set at $670 million for FY 1981, $720 million for FY 1982, $760 million for FY 1983, $800 million for FY 1984, and $830 million for FY 1985.

Institutions must ensure that, to the maximum extent practicable, employment under CWS complements and reinforces the individual student's educational or vocational pursuits. Students may not be paid less than the current Federal minimum wage. All institutions are guaranteed at least their FY 1979 CWS allocation for all years through FY 1985, unless they have a substantial decline in enrollments, and will be allowed to use up to 10% of their CWS program funds for less-than-half-time students.

Part D: National Direct Student Loans

Significant revisions are made in the NDSL program, which is extended through FY 1985 at authorization levels of $400 million each for fiscal years 1981 and 1982, $475 million for FY 1983, $550 million for FY 1984, and $625 for FY 1985.

The new law increases the interest rate for new borrowers from the existing 3% to 4%. Changes in loan limits allow an aggregate limit of $3,000 for undergraduates in their first two years of study, $6,000 for upper division students, and $12,000 for graduate students. As in GSL, the current 9-to-12-month grace period is reduced to 6 months for all students beginning repayment. Several new deferral provisions are, added to the program under which students entering certain types of service can have their repayment deferred.

The legislation provides for an alternate means of financing the NDSL program, other than through direct federal capital contributions. The Secretary is given authority to borrow from the Federal Financing Bank for the purpose of providing federal capital to institutions for their use in making loans to needy students. The program will continue as it currently operates, until the Secretary exercises alternate borrowing authority. If the Secretary borrows $1 billion in any year, the NDSL collections available for loans on campuses that year would instead revert to the Treasury, and the $1 billion would be available for new NDSL loans. If the program is funded through the Secretary's borrowing authority, each campus is guaranteed to receive an amount at least equivalent to the amount of loan funds available through its revolving fund during 1979-80.

Part F: General Provisions

The new legislation mandates the development of a single system of needs analysis for Pell Grants and the campus-based aid programs, and a common federal financial aid form. It revises criteria for the Family Contributions Schedule and creates a National Commission on Student Financial Assistance.

The single needs analysis system will be established through the annual development by the Secretary, and review by the Congress, of a new Family Contributions Schedule, which must include the following elements:

- --an assessment rate of not more than 14% to be applied to parental discretionary income for families with incomes of up to $25,000;
- --the exclusion from consideration of all equity in the family home;
- --a $10,000 asset exclusion for other assets, with an additional $50,000 exclusion for farm or business assets;
- --a requirement that independent students with dependents must be treated the same as dependent student families in the calculation of their financial need;
- --the inclusion of expenses for child care and handicapped student expenses as part of the determination of the student's cost of education;
- --a $1,100 minimum allowance for room and board for dependent students living at home; and
- --a new room and board allowance for students not living either on campus or at their parents' home, which will be a standard allowance determined by the institution based on expenses reasonably incurred.

The Secretary is directed, to the extent praticable, to enter into not less than three contracts with states, institutions of higher education, or private organizations for the purpose of processing student aid applications. These same organizations may simultaneously collect additional data elements necessary to determine a student's eligibility for aid other than aid provided under Title IV. Also, the Secretary is authorized to develop a pre-eligibility form to provide high school and other potential postsecondary students with early notice of their eligibility for aid. Training in financial aid and student support services is continuec and modified to provide for training services through contracts with the Secretary for those involved in student financial assistance programs.

The requirements for institutional eligibility are continued with clarifications made in current law. Students and prospective students must be provided information on their academic programs, costs, student financial aid programs, tuition refund policy, special services for the handicapped, accreditation status, and standards of satisfactory progress.

The Secretary may suspend or terminate the eligibility status of an institution for any or all programs under Title IV if it is determined that an eligible institution has engaged in misrepresentation of its education program, its financial charges, or the employability of its graduates. A civil penalty up to $25,000 may be imposed for such misrepresentation. In addition, the criminal penalties for fraud, which in current law apply only to the guaranteed student loan program, are applied to all Title IV programs.

With respect to administrative expenses, an automatic institutional payment of $10 is provided for each recipient of a Pell Grant, a Guaranteed Student Loan, or a Parent Loan. The administrative allowance for campus-based programs is changed to 5% of the institution's first $2.75 million of expenditures, plus 4% of the institution's expenditures greater than $2.75 million and less than $5.5 million, plus 3% of the institution's expenditures in excess of $5.5 million. The ceiling on the amount of administrative allowance an institution can receive is removed, and institutions are required to use their administrative allowance solely for the purpose of administering the student financial aid programs.

A 12-member National Commission on Student Financial Assistance is established to study a broad range of undergraduate and graduate student aid issues. The Commission is authorized $10 million for this study, and is directed to report to the President and the Congress no later than July 1, 1983. The subjects to be studied by this Commission include:

- --more effective means to reduce default, fraud, abuse, and delinquency in student aid programs;
- --the appropriate balance between loans and other sources of financing postsecondary education;
- --the impact of student assistance on student career choices, and educational choices;
- --capital availability; and
- --the status of financial aid for graduate students.

Title V - Teacher Corps and Teacher Training

Title V is amended to continue the Teacher Corps and Teacher Training programs in Parts A and B, respectively; to add a new Part C program of training for teachers of the handicapped; and to establish, under Part D, an Office of Education Professional Development within the Education Department. Part A authorizations are set at $45 million for FY 1981, $50 million for FY 1982, $60 million for FY 1983, $70 million for FY 1984, and $80 million for FY 1985. Part B authorization levels are set at $20 million for FY 1981, $30 million for FY 1982, $40 million for FY 1983, $50 million for FY 1984, and $55 million for FY 1985. The authorization levels for the new Part C program are established at $2 million for FY 1981, $3 million for FY 1982, $5 million for FY 1983 and for each of the succeeding fiscal years.

Part A extends the Teacher Corps program with only one change -- the current statutory $150 per week limitation on salaries for teacher interns is deleted, leaving authority for the Secretary to establish compensation.

Under the Part B Teacher Training programs, the new legislation makes several changes to the current law. A new grant program is authorized for training higher education personnel. Grants are authorized for model projects in schools of education; for improved in-service training of elementary and secondary teachers; for retraining of faculty members in schools of education to teach elementary and secondary school teachers of handicapped, adults, CETA enrollees, and gifted and talented children; and for training of educational personnel who will specialize in the implementation of urban and environmental policies.

Part C authorizes a new program of training for elementary and secondary school teachers to teach handicapped children in areas where there is a shortage of such teachers. This training program is in the nature of fellowships to individual teachers who must, within 5 years after completion of training, teach in shortage areas for at least 2 years. Recipierts may receive stipends of up to $9,000 per year.

Part D establishes an Office of Education Professional Development to coordinate various federal programs in this field.

Title VI - International Education Programs

The new Title VI consolidates most of the existing international education authorities, focuses attention in Part A on the need to stimulate interest in foreign languages and international studies, and creates a new Part B program of cooperation between international business and higher education. Authorization levels for Part A are set at $45 million for FY 1981, $50 million for FY 1982, $60 million for FY 1983, $70 million for FY 1984, and $80 million for FY 1985. Part B authorizations are set at $7.5 million annually through FY 1985.

Part A, International and Foreign Language Studies, incorporates many of the existing programs under Title VI of the National Defense Education Act and the International Education Act. Grants will be made to institutions or combinations of institutions for efforts at both the undergraduate and graduate levels:

--to establish language and area centers which will serve as national resource centers for teaching foreign languages and international studies;

--to establish international study centers which will serve as regional resources to increase access to research materials and training in international and foreign language studies concentrating on problems affecting individual countries or specific geographical areas; and
--to strengthen and improve undergraduate international studies and foreign language programs by providing federal funds which may be used for faculty, staff, and student travel to foreign areas, for teaching and research materials, for curriculum planning and development, and for stipends to visiting or foreign scholars to teach or conduct research.

The Secretary is directed to ensure that these grants are equitably distributed throughout the nation.

The new Part B, Business and International Education Programs, establishes a dollar-for-dollar matching grant program to postsecondary institutions which have entered into agreements with business enterprises, trade organizations, or consortia of such organizations to establish or expand curricula to serve the international needs of the American business community.

Part C establishes a 23-member Advisory Board to the Secretary of Eduation for international education programs. Two subcommittees of the advisory board are statutorily created -- one to review contracts and grants awarded under Title III of the Elementary and Secondary Education Act, and the other to advise the Secretary on needed improvements under the new Part B business and international education programs within the Department of Education.

Title VII - Construction, Reconstruction, and Renovation of Academic Facilities

Title VII is reauthorized through FY 1985, and several changes are made to expand the purposes for which funds may be used. Authorization levels for Part A grants are set at $100 million for FY 1981 and for each succeeding fiscal year; for Part B grants at $80 million for FY 1981 and for each succeeding fiscal year; and for Part C loans at $80 million for FY 1981 and for each succeeding fiscal year.

The statement of purposes is expanded to include assistance to institutions: to economize in their use of energy resources; to comply with requirements of the Architectural Barriers Act, Section 504 of the Vocational Rehabilitation Act, and federal, state or local environmental protection or health and safety programs; to improve research facilities including libraries; to improve facilities at institutions experiencing unusual enrollment increases; and to detect and/or remove asbestos hazards.

Under Part A, state plans continue to be required to establish eligibility for grants for construction, reconstruction, and renovation of undergraduate facilities.

Part B continues authority for institutional grants for renovation and reconstruction of graduate facilities.

Under Part C, the interest rate on reconstruction and renovation loans is increased to 4% for both the undergraduate and graduate facilities.

Part D, Assistance in Major Disaster Areas, is repealed.

Title VIII - Cooperative Education

The Cooperative Education program is extended through FY 1985. Authorization levels are set at $30 million annually, and $5 million annually for Cooperative Education Demonstration and Research Grants, both through FY 1985.

Maximum institutional grants are increased from $175,000 to $325,000, and maximum consortium grants are increased from $125,000 to $250,000. The new law authorizes parallel periods of work or study, in addition to the existing authority for alternating periods of work or study.

Title IX - Graduate Programs

Title IX is extended through FY 1985, with changes made to consolidate the major graduate education support programs under Parts A and B, and to establish a new National Graduate Fellowships program under Part C. Part A, Grants to Institutions, is authorized at $50 million for each fiscal year through FY 1985. The authorization level for Part B, Fellowships, is set at $60 million each for fiscal years 1981 and 1982, and "such sums" thereafter. Part C is authorized at "such sums" as may be necessary.

Part A, Grants to Institutions, is continued as currently authorized. The only change in the new legislation is an effort to refocus the purpose of the grants from expanding graduate programs to maintaining their quality.

Part B consolidates the need-based fellowships for mining, public service, and graduate and professional opportunities, each category of which must be funded at the FY 1979 level. The Secretary shall assure that individuals from disadvantaged backgrounds or those pursuing advanced studies in energy conservation will be considered in making grants. The Secretary of Education may not make an award to an individual institution which is less than $75,000 for any fiscal year. Institutions may then make awards to individual students of up to $4,500 per year for up to three years. The Secretary is also required to ensure that fellowships are equitably distributed both on a geographic basis and among public and independent institutions.

Part C authorizes a new merit-based National Graduate Fellowships program. The Secretary is authorized to award up to 450 portable fellowships to individuals selected by a National Graduate Fellows Program Fellowship Board which shall be appointed by the President. Individual stipends will be determined by the Secretary. These fellowships are to be used for graduate study in the arts, humanities, and social sciences.

Two current programs are transferred to Title IX from other titles. Part D (Assistance for Training in the Legal Profession) is authorized at $5 million each for fiscal years 1981 and 1982, $7.5 million each for fiscal years 1983 and 1984, and $10 million in FY 1985. Part E continues the Law School Clinical Experience Programs at authorization levels of $5 million for FY 1981, $8 million each for fiscal years 1982 and 1983, $9 million for FY 1984, and $10 million for FY 1985.

Title X - Fund for the Improvement of Postsecondary Education

Title X reauthorizes the Fund for the Improvement of Postsecondary Education, which is transferred from the General Education Provisions Act. Authorization levels are set at $20 million for FY 1981, $30 million for FY 1982, $40 million for FY 1983, $45 million for FY 1984, and $50 million for FY 1985.

This Title also establishes a 15-member National Board with a statutory base to review grants, thus protecting their decisions from outside agency review.

Title XI - Urban Grant University Program

Title XI establishes a new Urban Grant University program at authorization levels of $15 million for FY 1981, $25 million for FY 1982, $35 million for FY 1983, $45 million for FY 1984, and $55 million for FY 1985.

The purpose of this new program is to provide grants to enable urban universities to work with their local governments in a coordinated, cooperative attack upon urban problems by making university resources available to help solve priority problems determined by local governments.

The Title requires that an urban area be defined as a Standard Metropolitan Statistical Area with a population of 500,000 or more. The Secretary of Education is directed to designate an urban area within states not having such an SMSA population. To insure a university's eligibility under this program, a substantial portion of the university's students must be drawn from the urban area, but each institution determines what constitutes a "substantial portion". Preference will be given to combinations of urban institutions applying for such grants, as long as at least one member of the group qualifies in all respects.

Title XII - General Provisions

The new law repeals all sections of the existing Title XII except the definitions section and the prohibition against discrimination. A new "Federal-State Relationship" section requires that states receiving funds under Title I, the SSIG program, and Title VII must enter into an agreement with the Secretary of Education. Such agreement permits each state to adopt the organizational structure deemed most appropriate to its needs, but requires certain functions to be performed as a condition for receipt of federal funds. Those functions essentially amount to a designation and/or description of activities of certain state agencies, boards, commissions, or councils. The new section continues to mandate broad participation by the postsecondary community in whatever planning process occurs in each state, by requiring that institutions, students, and the general public be members of the designated state planning commission, advisory council, or other entity established by the state to conduct federally-assisted comprehensive statewide planning.

Title XII also statutorily establishes a 15-member National Advisory Committee on Institutional Eligibility to advise the Secretary on matters of accreditation and institutional eligibility.

A final part of the new Title XII directs the Secretary to modify existing programs and conduct a thorough study of the educational needs of the territories.

Title XIII - Miscellaneous Provisions

Title XIII incorporates miscellaneous provisions that set authorization levels for the National Institute of Education at $120 million for FY 1981, $130 million for FY 1982, $145 million for FY 1983, $160 million for FY 1984, and $175 million for FY 1985; $2.5 million for the Pre-College Science Program in FY 1981; and $5 million for the Minority Institutions Science Program in FY 1981.

Parts A and B amend the General Education Provisions Act to allow for the contingent extension for two years of forward-funded programs when Congress has not acted on expiring legislation in its last year; to allow Congress to disapprove any education regulation in whole or in part; and to include age and handicap among the characteristics which may not be discriminated against in the provision of quality higher education opportunities. A new section is added to the General Education Provisions Act which states that agencies issuing regulations affecting any institution of higher education are required to publish in the Federal Register a statement identifying whether any information to be transmitted under the regulation is already being gathered by or is available from another federal agency. Also in Part A are the one-year authorizations of the Pre-College Science Teacher Program at $2.5 million and the Minority Institutions Science Program at $5 million.

Part B, which extends the authorization levels for the National Institute of Education, also broadens NIE research and development priorities to include the non-traditional student, older student, part-time student, and the study of languages and cultures.

Part D establishes a seven-member Advisory Council on Native Hawaiian Education to conduct a study to evaluate the effectiveness of state and federally assisted educational programs in serving Native Hawaiian children and submit a report to the Secretary and Congress by January 31, 1983.

Several changes are made in the impact aid program which assists elementary and secondary school districts affected by a federal facility.

Finally, individual institutions are assisted in the following manner:

- --the authorization for construction appropriations for the Navajo Community College is extended for one year;
- --land-grant college status is granted to the Community College of American Somoa and the College of Micronesia;
- --the Robert A. Taft Institute Trust Fund is established with an authorization of $750,000 per year for the next five years;
- --The William Levi Dawson chair of Public Affairs at Fisk University is authorized at $750,000 for FY 1981; and
- --the General Daniel James Memorial Health Education Center at Tuskegee Institute is authorized at $6 million for FY 1981.

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Director of Government Relations

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NOTES:

authorization levels for the education amendments of 1980 (P.L. 96 - 374)

	Fiscal 1981	Fiscal 1982	Fiscal 1983	Fiscal 1984	Fiscal 1985
Title I: Continuing-education programs and planning					
State planning and continuing education	$ 20,000,000	$ 30,000,000	$ 40,000,000	$ 50,000,000	$ 60,000,000
Commission on National Development in Postsecondary Education	3,000,000				
Title II: College libraries					
College-library resources	$ 10,000,000	$ 30,000,000	$ 30,000,000	$ 30,000,000	$ 35,000,000
Library training, research and development	10,000,000	30,000,000	30,000,000	30,000,000	35,000,000
Research-library resources	10,000,000	15,000,000	15,000,000	15,000,000	15,000,000
Study of a national periodical center	750,000	750,000	†	†	†
Title III: Institutional aid					
Aid to developing institutions and institutions with special needs	$120,000,000††	$175,000,000	$195,000,000	$200,000,000	$220,000,000
Challenge Grants for strengthening institutions		25,000,000	35,000,000	45,000,000	50,000,000
Title IV: Student financial assistance					
Basic Educational Opportunity Grants (Pell Grants)	†	†	†	†	†
Supplemental Educational Opportunity Grants					
Initial-year awards	$350,000,000	$350,000,000	$350,000,000	$350,000,000	$350,000,000
Continuing-year awards	†	†	†	†	†
State Student Incentive Grants	100,000,000	100,000,000	150,000,000	200,000,000	250,000,000
College Work-Study	670,000,000	720,000,000	760,000,000	800,000,000	830,000,000
National Direct Student Loans	400,000,000	400,000,000	475,000,000	550,000,000	625,000,000
Guaranteed Student Loans	†	†	†	†	†
Special programs for disadvantaged students	400,000,000	†	†	†	†
Veterans' cost-of-instruction payments	†	†	†	†	†
Aid to migrant-farmworker students	9,600,000	12,000,000	14,000,000	16,000,000	18,000,000
National Commission on Student Financial Assistance	10,000,000				
Title V: Teacher training					
Teacher Corps	$ 45,000,000	$ 50,000,000	$ 60,000,000	$ 70,000,000	$ 80,000,000
Teacher-training grants	20,000,000	30,000,000	40,000,000	50,000,000	55,000,000
Training for teachers of the handicapped	2,000,000	3,000,000	5,000,000	5,000,000	5,000,000
Title VI: International Education					
International and Foreign Language Study	45,000,000	50,000,000	60,000,000	70,000,000	80,000,000
Business and International Education Cooperation	7,500,000	7,500,000	7,500,000	7,500,000	7,500,000
Grants to Promote International Understanding (Title III, ESEA)	5,250,000	6,750,000	8,250,000	9,000,000	9,000,000

authorization levels for the education amendments of 1980 (continued) (P.L. 96 - 374)

	FY 1981	FY 1982	FY 1983	FY 1984	FY 1985
Title VII: Construction and Renovation of Academic Facilities					
State Grants for Undergraduate Facilities	$100,000,000	$100,000,000	$100,000,000	$100,000,000	$100,000,000
Institutional Grants for Graduate Facilities	80,000,000	80,000,000	80,000,000	80,000,000	80,000,000
Loans for Academic Facilities	80,000,000	80,000,000	80,000,000	80,000,000	80,000,000
Title VIII: Cooperative Education					
Planning and Programs	$ 30,000,000	$ 30,000,000	$ 30,000,000	$ 30,000,000	$ 30,000,000
Research and Demonstration Grants	5,000,000	5,000,000	5,000,000	5,000,000	5,000,000
Title IX: Graduate Education					
Strengthening Graduate Programs	$ 50,000,000	$ 50,000,000	$ 50,000,000	$ 50,000,000	$ 50,000,000
Institution-based Fellowships	60,000,000	60,000,000	†	†	†
National Graduate Fellowships	†	†	†	†	†
Assistance for Training in the Legal Profession	5,000,000	5,000,000	7,500,000	7,500,000	10,000,000
Law School Clinical Experience Program	5,000,000	8,000,000	8,000,000	9,000,000	10,000,000
Title X: Fund for Improvement of Postsecondary Education	$ 20,000,000	30,000,000	40,000,000	45,000,000	50,000,000
Title XI: Urban Grant University Program	$ 15,000,000	25,000,000	35,000,000	45,000,000	55,000,000
Miscellaneous					
Aid to Students in U.S. Territories	$ 2,000,000	2,000,000	2,000,000	2,000,000	2,000,000
National Institute of Education	120,000,000	130,000,000	145,000,000	160,000,000	175,000,000
Pre-college Science Teacher Training	2,500,000				
Minority Institutions Science Improvement	5,000,000				
Native Hawaiian Education	500,000				
Refugee Children Impact Aid	†				
Navajo Community College Assistance Program	†				
Robert A. Taft Institute	750,000	750,000	750,000	750,000	750,00
General Daniel James Memorial Health Education Center	6,000,000				
William Levi Dawson Chair of Public Affairs	750,000				

†Appropriation of such sums as may be necessary
††Current law remains in effect for FY 1981